

DECEMBER 2014 NEWSPAPER



RIKERS ISLAND JAIL OPENING TRANSGENDER HOUSING UNIT THIS WEEK

Rikers Island is opening its new transgender housing wing this week for its transgender prisoners who have yet to undergo transition surgery reports Gay City News. The news organization toured the new 30-bed facility located on the sixth floor of the jail’s north infirmary command, which is not part of the jail’s actual hospital. The unit is a large dormitory-style room with another smaller room complete with round tables and fixed seats where inmates can watch TV, eat or play games. Inmates have yard access and can use physical and mental health services located nearby the unit. The jail is known for its history of unsafe conditions and documented brutality at the hands of officers. Deputy Commissioner for Strategic Planning and Programs at the Department of Correction (DOC), Erik Berliner, is assessing the safety and security of the unit.

Said Berliner: “We are finding ways to keep people safe, giving them a place where they don’t have to worry about being themselves. This is a place that can be sensitive to them. It is the right time for it. We are reassessing everything about safety and security.”

The transgender housing unit is an option offered only to transgender prisoners; the prisoner can voluntarily choose the unit or a unit with the rest of Rikers’ 11,000 general population inmates. Berliner surveyed incoming transgender inmates, who have not had transition surgery yet, about what option they would choose. Half of those surveyed chose the new unit, and the other half chose to remain among the male prisoners. Advocates of the facility have pushed for its implementation for years. More than a 100 jail staff members received training on transgender issues by two of the advocates for the facility; Chase Strangio, himself transgender and a staff attorney for the American Civil Liberties Union, and Alisha Williams, director of prisoners’ legal services at the Sylvia Rivera Law Project. Strangio spoke about the unique opportunities that the training presents.

Said Strangio: “It’s an incredible opportunity to have advocates on issues impacting trans people in confinement settings to be the ones training uniformed correctional staff. The trainings represented a point of potential progress insofar as they show a commitment by leadership at DOC on meaningful training on trans issues.

“But like with all training, the culture change that is going to need to happen is going to take much more than a two-hour training could ever accomplish. So much will depend on the governing document and our hope is that the directive will permit all trans people who wish to access the unit to do so. One of the reasons why this model is important is that it is a voluntary unit. It is not one they are forced to enter. From an advocate’s perspective, that’s the only way a unit like this could work.” Berliner noted that one of the trainers referred to a correction officer as a “guard,” which is considered a mislabelling term among corrections officers. However, Berliner felt that it proved educational to the officers as they now understand what transgender people encounter on a daily

basis. Former inmate, Maria Lopez, and executive director of transgender rights group STARR is optimistic about the program.

Said Lopez: “Like most programs that are new and innovative, it’s going to take some time to work out the kinks. But I’m optimistic. This is an opportunity to work with law enforcement for a change. I’m elated.

“What is remarkable about this opportunity is that it is about more than just getting trans people jailed better but also connecting them to services. The deputy commissioner said he will do what he can to connect people to non-profits. It will save the city money in recidivism.” Berliner urges staff, prisoners and advocates to continue providing input on the new facility.

Originally published on Towele Road

CALIFORNIA CAN’T ENFORCE RULES TRACKING SEX OFFENDERS ONLINE, COURT RULES

The San Francisco-based court Tuesday upheld a judge’s decision to block enforcement of a voter-approved law that was backed by former Facebook Inc. executive Chris Kelly and garnered support from more than 80 percent of California voters in 2012.

The measure, known as Proposition 35, isn’t clear about what accounts or Internet service providers offenders are required to report and targets online speech that could include blogging about politics and posting comments on news articles, the appeals court’s three-judge panel said Tuesday.

The law also harms sex offenders’ ability to engage in anonymous speech because it allegedly allows police to disclose their online identities to the public, the court said. Failure to report on Internet activity can lead to criminal sanctions.

A requirement that registered sex-offenders notify police within 24 hours of using a new Internet identity chills activity protected by the U.S. Constitution’s First Amendment, U.S. Circuit Judge Jay S. Bybee wrote in the unanimous ruling.

Attorneys for the law’s backers had argued it doesn’t regulate the speech of sex offenders and would give police a head start to investigate when a parent reports that a child has been communicating with a stranger online and was going to meet that person.

While the state has a legitimate interest in preventing sexual exploitation and human trafficking, California officials didn’t show that blocking the law would seriously hamper the ability of law enforcement to investigate online sex offenses because there are other methods to do so, the court said.

“There will be some hardship on the state,” the court said. “Nevertheless, the balance of equities favors” the sex offenders who sued to overturn Proposition 35, “whose First Amendment rights are being chilled.”

David Beltran, a spokesman for California Attorney General Kamala Harris, who defended the law, didn’t immediately respond to an e-mail seeking comment on the ruling. A call to Harris’s press office wasn’t immediately returned.

Two unidentified California sex offenders and the American Civil Liberties Union filed named Harris and Kelly as defendants in their 2012 challenge to provisions of the Californians Against Sexual Exploitation Act.

SEND US YOUR ART!

This month’s header is by Casper in Texas! Have your art featured in the Newspaper! We’ll feature a different artist each month! Send us a drawing that says, “Black & Pink” or “Black and Pink” or “Poetry from the Heart” for the headers! Header art should be around the size of the newspaper header! Smaller or larger images may be resized to fit. You can send us other art too and we will include it in the poetry page.

Black and Pink
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Statement of Purpose
Black & Pink is an open family of LGBTQ prisoners and “free world” allies who support each other. Our work toward the abolition of the prison industrial complex is rooted in the experience of currently and formerly incarcerated people. We are outraged by the specific violence of the prison industrial complex against LGBTQ people, and respond through advocacy, education, direct service, and organizing.

Black & Pink is proudly a family of people of all races.

About this Newspaper
Since 2007, Black & Pink free world volunteers have pulled together a monthly newspaper primarily composed of material written by our family’s incarcerated members. In response to letters we receive, more prisoners receive the newspaper each issue!

This month, the newspaper is being sent to: **5,630** prisoners!

Disclaimer:
Please note that the ideas and opinions expressed in the Black & Pink Newspaper are solely those of the authors and artists and do not necessarily reflect the views of Black & Pink. Black & Pink makes no representations as to the accuracy of any statements made in the Newspaper, including but not limited to legal and medical information. Authors and artists bear sole responsibility for their work. Everything published in the Newspaper is also on the internet—it can be seen by anyone with a computer. By sending a letter to “Newspaper Submissions,” you are agreeing to have your piece in the Newspaper and on the internet. For this reason, we only publish First Names and State Location to respect people’s privacy. Pieces may be edited to fit our anti-oppression values and based on our Editing Guidelines.

CALL FOR SUBMISSIONS TO HOT PINK!
Seeking erotic short stories, poems, AND ART by Black & Pink incarcerated and free-world family members for a new ‘zine. To be mailed, art cannot include full nudity. Please send submissions (and shout outs to the authors from the first issue mailed in January!) addressed to Black & Pink - HOT PINK. This is a voluntary project, and no money will be offered for submissions, but you might get the chance to share your spicy story with many others! The zine will be sent 1-2 times per year. To subscribe to receive a copy of HOT PINK twice a year, write to our address, Black & Pink - GENERAL.

A MESSAGE FROM JASON

Dear friends,

I hope this note finds you as well as possible. I know the holiday season can be a really rough time inside the walls. I know that too often family and friends do not reach out with cards or visits, making this time particularly tough. I hope that the holiday cards from volunteers throughout the US and Canada (and even Sweden) were able to bring a moment of distractions. As you will read elsewhere in the newspaper, we had over 150 holiday card writing parties this year. That was more than we could have ever even wished for. I hope a card came to you and you could know that you are cared for and not forgotten.

I do not think that everyone receiving this paper knows that I am an ordained minister in the Unitarian Universalist tradition. I must say that all the winter holidays inspire me. The celebration of the returning of light for Solstice, the miracle of Hanukkah, the birth story of Jesus, and the Black radical tradition of Kwanzaa, all of them have important liberation stories to them. I know not everyone celebrates any of these holidays, and I hope you will bear with me as I use the next few paragraphs to reflect on them (or just skip reading this part, no judgment ☺)

Our family members in prison who honor the winter solstice are often denied the ability to celebrate their traditions. Corrections officials regularly ignore the freedom of religious practice by Indigenous people, Wiccans, and Pagans. There is, however, great beauty in the Winter Solstice. For those of us in the Northern Hemisphere this is the returning of the sun after having the days be so very short. I know that inside prison walls this “returning of the sun” can be hard to feel when surrounded by concrete and steel. In our ongoing work to abolish prisons and end the current suffering inside, the returning of the sun can be a metaphor, a story to remind us to have hope. Even though the prison system constantly crushes connection to the sun, to life giving energy, we keep going with the hope that the sun will return.

The miracle of Hanukkah gives us a similar kind of hope. After a great battle the Maccabees noticed there was only enough oil for one night of light, and yet the light lasted for eight nights. Despite knowing and noticing hopelessness, the miraculous becomes possible. As a skeptic of God’s intervention in human events I also like to think that the community around the Temple all banded together to share drops of their own oil and kept the temple light burning. When we act as a community we can have incredible power to shine light.

The birth of Jesus is also a story of hope, the hope of new possibilities made known with the arrival of any new child. One of my favorite parts about this story comes before the actual birth of Jesus. Too often the central role of Mary, the mother giving birth, is lost in the Christmas story. One of the greatest Bible passages is Luke 1:46-55, Mary’s Song celebrating the coming of her child. One of the lines is especially important for us as we think about our shared work rooted in hope, “God has brought the mighty down from their thrones, and lifted up the lowly. God has filled the hungry with good things and sent away the rich with empty arms.” As we find hope in our efforts we know that the mighty (corrections officials) can be taken down from their thrones.

Lastly, but far from least, is the celebration of Kwanzaa, again a festival involving light. This six day holiday was created in the 1960s to keep a connection to Black Power and Pan-Africanism. Prisoners in the 1970s anti-prison movement used Kwanzaa holiday to organize and mobilize prisoner resistance. In Massachusetts, my home state, the denial of a long-planned Kwanzaa celebration and a 2 ½ month lock down in 1973 sparked a general work strike by prisoners organized by the National Prisoners Reform Association (NPRA) and Black African Nations Towards Unity (BANTU). Much of this history is told in a book titled When the Prisoners Ran Walpole.

My point with the letter this month is to remind us all that there is power in our stories, that there is strength in hope, and that when we fight, we can win. We do all of our work knowing that once there were no prisons, that day will come again. In loving solidarity, Jason

VICTORY! NEW YORK STATE MOVES TO REQUIRE HEALTH INSURANCE COMPANIES TO COVER TRANSGENDER HEALTH CARE

We are thrilled to announce that New York State has issued guidance requiring health insurance companies to cover transgender health care on the same terms as other care. The news is featured in The New York Times.

The new rule specifically bars insurance companies from denying medically necessary care because the treatment is for gender dysphoria. Most policies currently exclude coverage for such treatment, regardless of whether or not a doctor determines that the treatment is medically necessary. The state’s new rule renders those exclusions void and requires that insurance companies cover transgender health care. This will dramatically improve the lives of transgender people.

“Transgender people have suffered because of discriminatory health insurance exclusions that target the medically necessary care they need. We thank and congratulate New York State for moving aggressively to ensure that transgender people can access the same health care that everyone else receives,” said TLDEF Executive Director Michael Silverman. “We commend New York Governor Andrew Cuomo and State Superintendent of Financial Services Benjamin Lawskey for taking this important step to eliminate health care discrimination. We thank New York State Senator Brad Hoylman for his leadership in helping to bring about this change and for including TLDEF in the process.”

Transition-related health care has been widely recognized as medically necessary by organizations such as the American Medical Association, the American Psychological Association and the World Professional Association for Transgender Health. New York becomes the 10th jurisdiction to ban health insurance discrimination against transgender people, joining California, Colorado, Connecticut, Illinois, Massachusetts, Oregon, Vermont, Washington, and Washington D.C. In May, the federal government also ended its decades-long exclusion of coverage for transition-related surgery under Medicare.

As we celebrate this action, we urge New York to take the next step and remove the discriminatory exclusion of transgender health care from its Medicaid program, which is not subject to the new guidance.

“Transgender Medicaid recipients are some of New York’s most vulnerable citizens. They must be able to access medically necessary care,” said Silverman. “This action ordering insurance companies to stop discriminating against transgender people should immediately prompt the state to do the same thing and drop its own Medicaid exclusion. We call upon the Governor and the Department of Health to make that change now.” *Originally published on Transgender Legal Defense and Education Fund*

ANNOUNCEMENTS

1. Due to the large amount of mail we have gotten the last few months, we are quite behind in processing mail. The survey is also slowing us down a bit, but we are working to get on top of things. Just so you know, we are processing mail from August and September right now. Please be as patient with us as you can be.
2. Certificates of participation in the survey will be printed and mailed out in the end of January. With those certificates will also be a printed resource list. The raffle will also happen in January. We will write to the winners to find out how best to send them \$25 or books/magazines of that value.
3. Anyone who is being released between now and September, PLEASE send us your outside contact information. We are planning a big gathering in October 2015 to celebrate 10 years of Black and Pink. We will be having a big party on Friday night and a weekend long conference to plan the next steps for Black and Pink. We will be able to pay for travel, housing, and food of those who attend. We will also offer a stipend of \$150 to formerly incarcerated people who attend.

Dear Black & Pink Family,

In April 2014 my letter was published in the Newspaper, and I made a claim that I would set out a simple proven non-violent legal way to combat the prison-industrial complex (PIC). To begin with, I need to identify the power base or lack of power base I initiate in my strategy.

As a convicted person I am at the bottom of the power base. This is a reality. I am fighting an entrenched, set piece enemy that controls the infrastructure and the media, makes the rules, and controls my movement.

This is a set up akin to what many oppressed people face who therefore must resort to guerrilla warfare. My strategies co-opt those tactics and strategies, but non-violently and in the purview of “obstinate non-compliance,” non-cooperation, and legal attacks on the resources of the set administrations.

The administrations, whether it be the police force, judiciary, prisons, legislature, etc, have banded together to create an oppression of a class of people. This class are people convicted of crimes, poor people accused of crimes, people on parole, etc. We are white, Black, Latino/Hispanic, gay, straight, transgender, with multiple identities. What we lack is a Political Voice. We are silenced by our lack of “credibility,” our lack of mainstream support, and our enemy’s use of the general population’s fear and ignorance to overrule their good sense and compassion.

Prisoners can’t form committees or organizations to protest conditions, nor can they pass petitions. If we speak among ourselves too much we are accused of enticing a riot and removed. If we raise legitimate concerns we are accused of whining- when in actuality we are asking for far less than what others in the free world have demanded as due rights for decades and centuries.

This is the base on which I, and we, must initiate our struggle. What do you have to fight with? Your time, your heart, your Righteous Anger, your determination, and your learned empathy after years of being abused- to learn not to be a hypocrite and abuse in the name of protecting. What do we do with this?

Learn. Prisoners before us fought a struggle in the courts to get law libraries in most, if not all prisons. Use them. Stop just complaining--act on the complaints and study. Don’t waste your time on Uniform Commercial Code crap. The courts ignore it, it’s a pipe dream. No one is going to get out of prison because they sell their name back to the government. Get real. They will put you on a bus and transfer you around the system before they allow that to happen.

In my legal studies and experience you can learn and fight your cases adequately Pro Se (advocating on your own behalf before a court, rather than being represented by a lawyer). It’s hard work, but it’s your life. The hardest thing I’ve found is to keep detached and to keep my emotions out of my legal briefs.

Simply, the courts have only so much money budgeted for litigation. The District Attorney can fight only so many cases. The Parole Board only sets aside “X” amount of dollars each year for civil litigation to combat torts against their agency. With guerrilla tactics you strike the set piece giant at its weakest spot. These agencies have a weakness--it’s money. They have budgets. Look in the newspapers. Laying off, asking for money, no new hires...The money is their weak point.

Sure, I’d like to rationally discuss my points and have them listen due to their sense of fair play and compassion, but the reality is that the establishment, by my experience, has not listened in the past until you have made it listen. We must break it first, break its foundation, we must ruin it and its ability to function and pay for its employees.

The alternative is for the legislature to raise taxes and keep raising taxes. Eventually they must pay the piper- their constituents. At some point people will not feel they are getting what they pay for. This strategy is used by “terrorists” and “freedom fighters” (depending on who publishes the story)- cause the state to take away freedom in increasing draconian measures to protect the people. The “state” becomes so oppressive that the majority of the population becomes dissatisfied and forces the state to change.

This is what I hope happens through a mass litigation of legitimate claims and legitimate use of our constitutional and procedural rights. I do not propose meritless litigation.

The use of procedure to safeguard your rights is by-passed so often in the courts today. In a criminal matter a District Attorney is actually angered when you do not waive a hearing! Public Defenders suggested I waive every preliminary hearing despite every law book for defense attorneys stating that the preliminary hearing is the most important first step in combating a criminal arrest. It sets the stage for future impeachment statements and gets baseless charges dismissed- those charges DA’s love to pad your information with to scare you into a plea bargain.

We waive parole revocation hearings, we cede away our Due Process rights in the hopes that the authorities take it easy on us. We take plea bargains that are deals that give us what the statutory guidelines can give us anyway. That’s not a deal. Go to trial, the judge can’t go out of the guidelines unless there are aggravating factors. And refusing to accept a plea bargain is not an aggravating factor. The sentence ranges take into consideration that a robbery is a robbery. An aggravating factor would be that you did something outside the norm to make it a worse robbery than all other robberies.

Know your constitutional rights, use your omnibus pre-trial suppression hearings, Habeus Corpus rights, etc. Read your state’s rules and procedures and make sure your attorney is addressing your case properly. Keep notes. Request everything in writing and keep copies. If your lawyer fails, you fire

them. Request a new attorney- you have the right if there are irreconcilable differences in the face of the trial.

This is not theory, it’s fact. I’ve done it all. Two years ago I did not know how to look up a case in a law book. I’ve since fought a 42 U.S.C. §1983 claim in the Federal Court, two civil cases in the Pennsylvania state courts, filed my PCRA claim Pro Se, and appealed to the Superior Court for a revoked Probation sentence.

Write to: Pennsylvania Institutional Law Project (PILP), Suite 304 South, 718 Arch St, Philadelphia, PA 19106. Ask for the Prisoner’s Litigation Manual, it shows step by step how to file a 42 USC §1983 claim. [Editor’s Note: The PILP website does not list the Prisoner’s Litigation Manual, but it does list these titles as available: Prisoners’ Rights Handbook: A Guide to Correctional Law Decisions of the Supreme Court of the United States & the United States Court of Appeals for the Third Circuit, and Jailhouse Lawyer’s Handbook: How to Bring a Federal Lawsuit to Challenge Violations of Your Rights in Prison. The Prisoner’s Self-Help Litigation Manual is available for sale from several publishers for about \$35.]

Do not waive a hearing or a right, don’t waive extradition. Don’t take a plea unless it is an excellent deal for you, one you can’t refuse. Make the gov’t do their work, spend their money. Challenge everything- they say they can prove something, make them prove it. Then appeal that decision, and appeal the appeal if it’s not the decision you want. Don’t give up on yourself.

When you see someone in a situation- help them, foster a spirit of inclusivity, opt in. It is us- LGBTQ and straight, all races, mentally impaired or disabled, etc- all crushed by this system, against our oppressors. The one thing the prison administration fears is inmate unity. Ask yourself- why do they fear us? Why do they work so hard at keeping us at each others’ throats? You know they like the racism and the separation of cliques- this way no one bands together against them. It works that way in the free world, and it works that way in prison.

I am definitely not promoting some kind of group physical resistance- that would give the prison administration justification to retaliate. We do calm, thought out deliberate non-cooperation in unity. So no telling on fellow inmates for petty stuff so you can get some extra perk or commissary.

There may be retaliation but I take it as what comes with the territory. I stand up for my beliefs. Besides, I treat the officers with respect and dignity, so for the most part they treat me with the same. They also see that I’ve sued Parole Agents and District Attorney investigators so they know that I know how to sue them in their personal capacity. That may give me some form of protection. I also let it slip to one guard that I know is a gossip, that my father is a Philadelphia Attorney and that’s why I get so much legal mail (tongue in cheek).

Warriors out-think and out-maneuver their enemies. We don’t have the logistical support but we have the support of a core of people. We have the will to fight and the moral fire within us. I will not be boxed in and silenced.

Brian, Pennsylvania

Greetings Family,

This is a recent story that I’d like to share with you.

I am currently housed around a guy that I once had sex with 14 years ago. We’ve been around each other for about a year now. I first met him back in 1995 at another facility. So, we are pretty familiar with each other. Well, one of the things he regularly does is rail against gays. He’s always saying things like “those faggots,” “that guy is a sissy,” “dude messes with them punks,” “old boy is a homosexual,” “that gay marriage is bogus”- and so on and so forth. And, he is outing people in the community as a way of putting them down. Every time I would hear him say these things, I thought to myself, “How can you say this stuff- knowing you were anally penetrated by someone in the area (me) and you allowed them to perform fellatio on you?”

Now, at almost 39 years old, I really try not to get into the whole practice of forcing people to be themselves, etc. I am a fairly reserved person. But it was not only me- another person had anal sex with him right before I did. So his words really bothered me. So for months I would hear him, and I’d ignore him the best I could. Then one day last weekend he had a dispute with another prisoner and he called the man a “dick sucker” for no reason. He then went on to threaten the guy by involving an inmate who doesn’t get into the nonsense in the galleries. So I said, “Hey man, leave that other guy out of it.” To which he replied, “So you’re trying to side with this dick sucker, well, I’ll get on you too you dick sucking faggot.”

My response was, “You’re right. I did perform oral sex on you. And what else happened just before the dick sucking began?” He ducked and dodged that. Then 2 guys who happened to be present that day 14 years ago confirmed publicly what went down. (I want to say this though- I did not enjoy the spectacle we made that day.) He yelled, screamed, threatened, and was eventually moved to another cell (but still within hearing distance). I told him- shame was what caused him to be in denial. Because shame was what caused me to lie about what happened for 5 years. We live in a society and culture that starts to teach us shame early on. One of the worst things a boy can be called is a sissy, right? Then we are often taught that even God loathes homosexuality/gay sex. “It’s an abomination!” So, shame sends folks into the closet (sometimes forever).

Anyway, he eventually owned up to “Doin’ some stuff I’m not proud of.” But he continued to emphasize the part of sex when he was the top, and couldn’t bring himself to admit when he was the bottom. Which I get, because

in certain parts of the culture, being the top is more acceptable or “better” than being the bottom. (No one likes to identify with the “victim,” if you will). Later on into the wee hours of the next morning, he ended up going to a crisis watch cell (trying to run from himself). I told him that regardless his cell location, the truth would never change. I also yelled, “Be yourself!”

Well, guess what happened? We were allowed to meet alone in a room face to face following this incident. He first admitted that he was in denial. He also admitted that it was hard for him to accept the fact that things went down the way they did. He went on to talk about how hard his life had been since he lost his mom, and how difficult change is for him. I felt bad for him, I was able to sorta empathize with him. But I told him, first off, he should stop being disrespectful and stop talking negatively about gays, and second, he needs to come to grips with his shame about his past and stop allowing it to enslave him. We both apologized to one another and went back to our cells.

The broader lesson in this though is really about shame and hurt. Don’t allow shame to enslave you and don’t allow people to use shame to hurt you. Own your decisions and accept full responsibility for them. And finally, be yourself!

Love Ya’ll,
Mr. Patrice D., Illinois

Dear Black & Pink,

I came across your newspaper from a fellow inmate. I had no idea that a paper like this existed. I’m so happy that there is support there for someone in this situation of incarceration such as myself. I really feel as a gay male that I really have allowed myself again to be put in this situation. I’m a fairly smart man, but I allowed drugs to take control of my life. Crystal meth is no joke. This time around I’m going to utilize the time to get treatment and formulate a plan so I can actually give myself a chance. I’ve been HIV negative by the grace of GOD. I want let all our B&P family know I love them, stay strong. Educate yourself. If you fail to plan, you plan to fail. Shout out to the creators of B&P. This newspaper means a lot to me. I have a feeling we’re going to do big things together.

Jermaine, Illinois

Dear Black and Pink,

Once again its Ms. Jazzie Ferrari writing to say that I love reading the newsletter because it’s very important to keep up with the straggle that L.G.B.T.Q. is going through, I have set back and realize that this is real. I’m sitting in the SHU for nothing. Everyday I wake up mad because they did me like this, yes they have abused their power, they have an unwritten policy that claims the officers are always right. So even when they’re wrong they’re right. Well I will fight for what I believe in and the more you know about the law the better chance you have to get them, even with the crooked grievance system-they are quick to tell you to write a (602) (HA HA HA)!! I have wrote a strong 602 and yet they still found me guilty. Yes it’s a joke to them until you start the lawsuit. Like I said before, the appeal coordinator is biased and abusing his power. But I don’t cry about it. ‘Cause I’m going to keep going, I’m going to demand my respect. By me being a transgender, I got to know the law by all means necessary. I have learn in our situation in the prisons, we really have to do for ourselves. And how to do it and get up on the law. Even though I have wrote a few legal-self-help groups and they haven’t wrote back. That don’t stop me from learning the law. I have expanded my knowledge and ability to learn the Law.

To all my family L.G.B.T.Q. that’s in the struggle this is for you. I pain inside knowing that a lot of my sisters are getting f***ed over by the system. And there’s lil that you can do if you blind to the law. Yes, I’m a victim of injustice. But that just made me want to fight, believe me sister. When I say I didn’t know nothin’ I mean nothing about the law. I didn’t even know how to write a (602) ‘cause all I wanted to do was look cute on the yard, and stay fresh, didn’t think about picking up no law book, or think about learning the law. Sure the c/o’s come in my cell and take my make up, bras, and panties and I wouldn’t trip I tell myself that I get more, which I would, that’s my thing I love lookin’ good. Everyday female c/o would tell me to take off my makeup or they going to write me up, which I would sometimes, and other times I wouldn’t.

One day my boyfriend gets into a fight. And I was there. They put the yard down when the police came they made my man and his home boy prone out. They handcuff all three of us. Send us to the program office made us strip out, now mind you I’m fly as hell. I got on all white everything is brand new and I just did my hair. My make up is flawless, now I’m just knowing they are going to release me, my boyfriend and his homeboy, told the c/os I had nothing to do with that. But that wasn’t good enough. I talk to the sgt and girl they put us in the hole and charge with battery on an inmate with S.B.I. they hit me with a 15 month SHU. I wrote a 602 and got denied. I appeal that. I went to (ICC) and got a SHU. Girl!! You talk about being mad!! That’s a understatement. But anyway I didn’t like the way they did me so here I sit.

In the (SHU) but they wake up the sleeping giant ‘cause now I stay in the law books. I mean everyday I refuse to just lay down and let them get away with this, see if I knew what I know now. I wouldn’t be in the (SHU) but believe me I’m in full time, so far I have wrote my own (writ of habeas corpus) that is something to be proud of. But I’m not done. My next step is my (1983) which I’m working on right now. Yes its hard work. But its all good because I’m starting to love it. Its got to be done. No one can fight for our human

dignity better than us. But them doing me like this made me wake up, I’m become zealous in our fight. The prisons aren’t going to give us anything on a platter. We must take it. Girl I stay in the law books. You will be hearin’ from me again, failure is not an option. Remember what don’t kill you only makes you stronger.

Ms Jazzie, California

Dear Black & Pink,

This is my coming out story. I’m a 25 year old transgender person, I go by Tiffany Marie. I’m doing time in Oklahoma. I been a girl ever since I was a kid and I came out to my family a long time ago. When I came to prison life changed. It became hell. In 2008 I was raped by three guys. It was because I would not be with him. I’ve been beat by officers and inmates because of who I am. I would like to tell others that no matter what, people care, even when it seems they don’t. No matter what people say or do, remember people love you. So keep your heads up. Being a gay boy gangster, I stand up for my brothers and sisters. I love ya’ll.

With Love,
Sister James aka Tiffany Marie

Dear B&P Family,

I have a question for the Leadership Circle and all family members, especially on the inside. One stated goal of B&P is to get states to end solitary confinement. Another is to end the rape that plagues prisons, especially against the LGBTQ community who can be more vulnerable.

But how do we prevent people from being raped without removing and confining those who are committed to victimizing our brothers and sisters?

My reason for posing this question is not to endorse solitary confinement. On the contrary, it is to get our family to mold as strong as possible a realistic alternative solution that also does not interfere with the goal of stopping the sexual abuse of our family.

Your Brother,
Chris, Indiana

Black and Pink <3

I am on fire! My connection to our B&P family is strong and unwavering which lets me know this is my home! Though I know of several advocacy groups my heart gravitates towards my B&P family as it has never before done for any other group. I applaud other advocacy groups and will work with any group of like-minded people to do my part. I have to get involved because prisons in Wisconsin have been terrible to T-girls statewide and I don’t like it one bit!

My blood has been shed and my physical and mental attributes scarred indefinitely from the injustice at the hands of the P.I.C., denying adequate and prompt treatment and safety to T-girls here in Wisconsin’s prison system. I have litigated Chelsea v. Dr. Tobiasz which shook up the prison I am currently confined to. I have 90 days to release- 60 if my appeal goes through.

Only 2 other T-girls fought for all the T-girls here and I applaud Andrea Fields and Donna Dawn for their campaign to make a difference on a legislative realm. Our cases are noted in Michelle Kosilek at *101 (9-4-2012).

And much love to Dee Farmer who has the precedent case on safety for “all” inmates in the United States who is very much a T-girl at arms in Farmer v. Brennan who also hails from Wisconsin. The Deliberate Indifference standard is set by one of us!? A T-girl! If it wasn’t for our Trans-girl Dee someone else-non-LGBTQ may have taken credit! But we do as a T-girl family! Our girl Dee is responsible for initiating a T-girl safety issue and set the tone. She didn’t win a favorable ruling but she won ‘cause she made a standard that protects us “all” from cruel and unusual punishment!

I’m involved and doing things and protesting with ACT/Black & Pink to put an end to this prison b.s. against our T-girls and T-boys and LGBTQ family at large!

Much Love,
Chelsey Baby
Wisconsin Chapter of Black & Pink Leader

Dear Black & Pink,

Hello. My name is Kerry “Shakaboona,” a founding member of the Human Rights Coalition (HRC) in Pennsylvania, and co-editor of the human rights magazine “THE MOVEMENT.”

I heard through the Newspaper about another similar named organization, the Human Rights Campaign (also HRC), which has been involved in controversy in the LGBTQ community, choosing not to support trans rights and has silenced people-of-color organizations and organizers.

The Human Rights Coalition wants the LGBTQ community to know that we are not the Human Rights Campaign, and that we support the LGBTQ community wholeheartedly. The Human Rights Coalition has 3 chapters in PA0 Philly, Chester, and Pittsburgh, that advocate and advance human rights of all people, and prisoners in particular. We are run by working class black and white women, political prisoners, community human rights activists, and ex-prisoners. Unlike the Human Rights Campaign, our HRC has consistently supported the LGBTQ prisoners and POC organizations, and has not accepted donations and honored multi-billion dollar corporations who contribute to institutionalized gender and racial oppression. Our financial support comes from the people, grassroots foundations, and our own pockets! And we are

about building coalitions- we do activist work in the community with LGBTQ folks, student activists, youth groups, anti-war groups, anarchist groups, communist groups, anti-racism groups, and many more groups.

The Human Rights Coalition has helped expose SCI Pittsburgh guards raping male and female prisoners, some of whom were LGBTQ, and caused a federal probe and indictments of those criminal guards. We helped expose the guard Marlin E. Freeman for sexually assaulting a black, gay prisoner for several years at SCI Rockview. I, as co-editor of “THE MOVEMENT” magazine have personally printed articles of these events. Our HRC has defended LGBTQ prisoners in PA from PDOC and its prison officials’ gender discrimination and outright attacks. I have personally been involved in building coalitions with LGBTQ organizations in PA to struggle for a common cause of human rights for LGBTQ people and for prisoners, both of whom have been reduced to second class citizens in America and are consistently bashed and oppressed by the status quo.

Check out the real HRC on our webpage www.hrcoalition.org, we’ve got our magazine “THE MOVEMENT” there. You can also subscribe to THE MOVEMENT at: Human Rights Coalition, Attention: Newspaper Subscription, c/o Lava Space, 4134 Lancaster Ave, Philadelphia PA 19104. One year subscription rates are sliding scale \$0-\$12, 4 issues a year. You may also submit articles that criticize the police, courts, prisons, and politicians in regards to the Human Rights of everyone.

Thank you for your time. Peace.
Your Brother in the Struggle,
Shakaboona, Pennsylvania

From the Human Rights Coalition website: “The Human Rights Coalition is a group of predominantly prisoners’ families, ex-prisoners and some supporters. Our ultimate goal is to abolish prisons. The prison system is based on a foundation of exploitation, punishment and corruption. Most of the people in prisons are poor, brown, urban, functionally illiterate, unemployed or under-employed before they were locked down, and are there for non-violent crimes. The prison system reflects all inequalities in our society, and it does not work in its current incarnation. Our goal is to empower prisoners’ families to be leaders in prison organizing, while at the same time reduce the shame of having a loved one in prison or being formerly incarcerated. Our goal is to make visible to the public the injustice and abuse that are common practice throughout our judicial and prison systems across the country, and eventually end those abuses.”

Hey to all my brothers and sisters. I was reading a piece by Matthew from Massachusetts in the Newspaper about the Chaplain who advised him he could not participate in a Christmas play because he is gay. This seems to be a major problem in almost every institution. In my experience, it is usually the other inmates that complain to the Chaplain about having a homosexual in the church.

Religion is a very personal thing, and we are allowed to practice in prison. At my last place of incarceration we got together and wrote to the regional Warden and it ended up going straight to Washington DC (since I’m in a federal prison). My letters and constant nagging helping. The Chaplain after about a month called me over, apologized, and accepted me at the church.

Simply put, the church in prison is there for the inmates, they are not allowed to stop you or even tell you not to go. Letters to the higher up’s as well as outside influences help a lot. My advice is to just keep writing and pushing- get your local ACLU involved, it can work. Remember we are a minority in prison. No matter what let’s respect and help each other in every way we can.

Stay safe,
Paulie, Virginia

Dear Black and Pink Family,

How you doing? Well, my self is blessed by the best above. This is Brielle from Louisiana and it’s been a little bit since my last submissions to Black & Pink. Let me give you my good news first.

In April I went up for the Ext-lockdown Board, guess what? I made it and now on backlog to go to the compound. The backlog wait is 6-12 weeks! It’s been 20 months where I’m at. I thank you all for any and all that you all did/prayer for me through this trying times, Amen!!

Well, I got my “May Newspaper” and as I read it so much came to mind and my heart goes out to Sleepy in Colorado. For one, I was born HIV+ and in prison at the age of 31 and doing very well with my health. See my state, Louisiana, got one of the highest rates of HIV/AIDS and they do take us on trips and give us our medicines. I know it must be hard, but you must pray and ask God to hold on to you and also file a grievance and then when you get out of all your steps then file a 1983 lawsuit in the courts and get help. Also you could write to the following places Human Rights Watch Project, 350 5th Ave. 34th floor, NY, NY 10118; Gay Mens Health Crisis, 446 West 33rd St., NY, NY 10001 Attn: Jason Cianciotte. See, you can never give up and it’s not ever all you can do. One thing I learn was “it’s not over until the Lord says it’s over.” Read 2Timothy 4:7-8, Romans 11:1-5.

Well, other than that family, I am doing so good. Me and my lover of 1 year and 2 months are doing so good. Also he been bless to get back in court and now he’s giving his life sentence back and will be coming home to me. I have about 32 months left to do; but can get 12 months off with good time. God is really blessing.

Before I go, I want you all to know that no matter what come your way you must stay strong, fight the fight, keep hope, be happy with self and Never Give up!

Until next time, much love to you all and be blessed.
Brielle, Louisiana

Hey wassup this ya girl Chyna. I just wanna say that I recently told my mother that I’m bisexual, and before I used to get a letter every week but now it’s been like a month since I heard from her, but I know that she’ll get over it ‘cause she loves me and I know she’ll need some time to accept what I told her. Neway, I said that to say this- before I told my mother about my sexual orientation it was like I had bricks on my chest, not because of who I was, but because I wanted to know- will I be accepted, will she still treat me like her lil princess, but now I can say that since my confession it’s like a whole burden been lifted and I can be me without keeping it a secret and all. But all in all I just wanted to tell those who haven’t yet talked to the people they love and cherish that it can feel good to come out clean rather than to keep it buried. With that being said, keep your head up and stay strong especially if you are in the pent like myself and others, ‘cause only the strong survive.

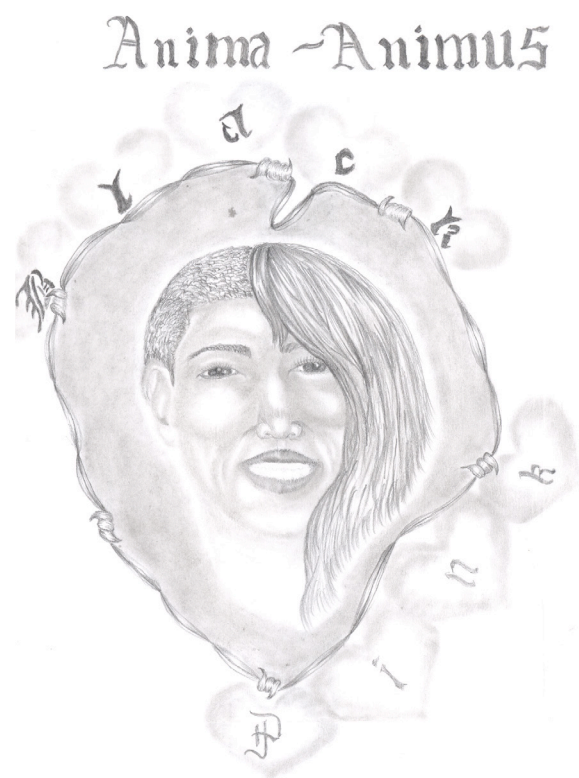
Love Chyna baby

Dear Black and Pink Family,

My name is Keeirriah, I go by Kee Kee tho. I am 21 yrs old. I am bisexual. I’m more into woman tho. I am currently a patient at OSH (Oregon State Hospital). I had so much sexual abuse, physical and emotional abuse. I always got made fun of for being bisexual. I grew up in a country setting, then moved to a city at age 15. I recently just lost my mother. I’m in special ed classes still, but not too far behind. I am a very loving, caring woman, and I don’t take people’s shit anymore. My ex-fiance cheated on me w/ a man. I asked her to marry sophomore year in high school, we were together for 5 yrs. I’ve been single for 3 now. I’m looking for a woman mainly, but if a man comes to me then I’ll try it. I have fears of them, but not all men & women are the same. I don’t agree with today’s society, I think same sex couples should be allowed to get married. You guys are my new family. If it weren’t for my gay friend, I would’ve never met you all. I don’t care what people say, staff or peers, for the last year I’ve ignored their judgment. I am what I am and no one can change it!

I love you all and hope to reach out to you all in the paper.
Love,
Kee Kee, OR

Note in response to Chris’s letter on page four: Thanks for asking this question Chris. We would suggest that solitary confinement can never create justice or real safety. We absolutely want any prisoner separated from another prisoner they are harming, and that can be done without putting the person in solitary. There are lots of other housing and classification options. We also notice that the majority of sexual violence in prison happens by prison staff. Because of this we know that solitary confinement is not going to end all sexual violence even if we did support it. Instead we support prisoners having access to resources and peer-to-peer trainings to end sexual violence in prison. Efforts to end sexual violence in prison must include many tactics, but we do not think solitary confinement is an appropriate tool as it can cause too much greater harm.



Art by Kamau, Louisiana

Jery in FL pointed out that we reprinted a letter we featured earlier, this time with edited content. We will publish the newspaper editing guidelines again and invite feedback on them. We apologize for this and will be more transparent in the future if we edit member’s words.

California gets called “progressive” despite operating one of the world’s largest prison systems.

“Abolition is not simply a reaction to the [prison-industrial complex] but a political commitment that makes the PIC impossible” writes Eric A. Stanley in the introduction to *Captive Genders: Trans Embodiment and the Prison Industrial Complex*. Nourishing these possibilities to create a future in which incarceration and policing are not normalized features of our society has been at the core of Stanley’s academic writing and activist work. A president postdoctoral fellow in the departments of communication and critical gender studies at the University of California, San Diego, Stanley works at the intersections of radical trans/queer politics and prison abolition. Stanley has directed the films *Homotopia* (2006) and *Criminal Queers* (2013) along with Chris Vargas. Stanley talks to the New Inquiry about California’s incarceration culture and those who resist it, how language shapes our imagining of a post-incarceration world and the importance of queering our conversations around the prison-industrial complex.

What is unique about the Californian narrative of incarceration and policing? How has the history of California been shaped by the prison-industrial complex?

California is in many ways emblematic of our current moment of U.S. empire. Our stage of late liberalism allows California to proclaim itself both the most “progressive” state while simultaneously producing among the most brutal carceral practices. We can look to California and the California Department of Corrections and Rehabilitation (CDCR) as a cautionary tale of how even well-meaning prison reform almost always produces more violence, rather than stopping it.

To understand how “progressive California” became the way we talk about the operators of one of the largest prison systems in the world, we could look to the recent Proposition 47, the “Safe Neighborhoods and Schools Act,” for an example. It is championed by many state prison-reform groups because it claims it will help pull some people out of prisons and jails through resentencing of what the legislation calls “nonserious nonviolent” inmates.

And it might! At first glance, this seems like something that all of us fighting against the prison-industrial complex (PIC) could support. We know that decarceration is one strategy in the long vision that is abolition. However, written into the proposition is a provision that would mandate all the “savings” from releasing people be placed into a fund that would increase police presence in schools and mandate harsher truancy discipline. What looks like a victory in our struggle would actually build up rather than dismantle the PIC.

As a response to the infamous overcrowding of California’s prisons, this is something we know would reimprison 10,000 people, even if 10,000 people are released. Overcrowding is not a malfunction of the prison-industrial complex, it’s how it’s designed.

For a more exacting account of California’s carceral topography, I would defer to Ruthie Gilmore’s amazing book, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*. There, Ruthie helps us understand how labor and land are central to California’s prison growth but often overlooked. While it seems obvious that capitalism is a big part of the story of imprisonment, *Golden Gulag* helps push against the understanding that it is only important at the level of a defendant’s ability to fight charges. Identifying a structuring logic of the prison-industrial complex, Ruthie suggests her book is about “class war,” and it is.

I am interested in “exacting accounts.” I think about the prison-industrial complex especially in considering who collects and distributes information about it, and the specificity required in describing what it is. How does this enumeration, calculation, and collecting further serve the prison-industrial complex?

As example we might look at the National Crime Victim Survey, a database funneled through the Bureau of Justice, is currently the only space where national “biased” violence is aggregated. While having some important information, the database is little more than a misrecognition of the forms of structural abandonment and direct attack many people face everyday. Some have argued that if the reporting or vectors could be corrected we would have a more accurate representation of who is targeted for these kinds of harm.

But I want us to undo the argument that more information or research necessarily produces more liberation. We have elaborate data on incarceration rates for black people in the U.S., and we know that this research has done nothing to curtail the reality that the prison-industrial complex functions as antiblackness. Even if statistics show how the prison-industrial complex is constitutively anti-trans and anti-black, they don’t halt it.

I think you’re right. We’ve always known this information, but that information by itself is not liberatory. Beyond the information we have

about the functioning of the PIC, I am also interested in the information we have about movements challenging the PIC. I think it is easy to conflate the myriad of struggles against the PIC and this conflation can obscure the work of distinct activist organizations.

I spent a little over a year with Critical Resistance, where I learned about the distinction between a prison-reform movement and a prison-abolition movement. For those who conceptualize prison reform in terms of more rehabilitation programs or the ending of mandatory minimums, how does your work for prison abolition differ from prison reform? What’s the difference between asserting that the prison system is broken versus the assertion that is working as it is designed to function?

While usually suspicious of the work of binary oppositions, I think the distinction between reform and abolition is vital. When they become confused, we end up with people arguing that Prop 47 is going to “solve the problem of mass incarceration.” If we say that the prison system is working as designed, that is, as a set of antiblack, ableist, and gender-normative practices used to constrict, and at times liquidate, people and communities under the empty signifiers of “justice” and “safety,” then we can more adequately assess what something like Prop 47 will actually do: Trade a few of the prison system’s current hostages for an expansion into schools.

We often arrive at the idea that the system is “broken” not because we have such a strong attachment to the state, but because we have a scarcity of language around the intensity of its violence. One of the ways its common sense remains entrenched is in our collective inability to articulate the enormity of our current conditions. Instead we—myself included—most often use language that is readily available, helping sabotage our own chances of living otherwise.

In concrete terms, what does it mean to continue believing that the prison system is “broken”?

If we believe that the prison system is broken, then we must also believe in its ability to be fixed. Here we can see how the PIC keeps functioning through the rehearsal of the “broken system” narrative. As Angela Davis and many others have argued, it is precisely through reform that the prison-industrial complex expands. We can see the materiality of this expansion through the mandatory increase in police in schools through Proposition 47.

I was born and raised in California and I know this proposition would affect my old students and family members so let’s talk about Prop 47. It is on the November 4 ballot. If it is approved by the state’s voters, it would reduce the classification of most “nonserious and nonviolent property and drug crimes” from a felony to a misdemeanor. How do you respond to people who say this reform, however small, is better than nothing at all?

In abolitionist work we sometimes talk about nonreformist reforms to think about the distance between people getting their immediate needs met, or their conditions made less unlivable, and the political worlds we want. Under our regime of racial capitalism, perhaps all we can inhabit is a set of shifting contradictions. Given this, one of the questions we try to continually ask is, “Will this reform be something we have to fight against in five years?” For me, this is how I determine if the compromise is too dangerous. In the case of California’s Proposition 47, I’m not convinced it will actually lead to the release of people and will instead further involve schools as punitive practices.

Focusing our efforts only on, and in the name of “nonviolent and nonserious” incarcerated people can also work to reaffirm the assumed serious and inescapable violence of those still inside. Are we willing to always allow the state to decide what constitutes the limits of “violence”? Under Proposition 47, someone who defrauds an entire community out of their homes may be considered “nonviolent,” while someone who blocks their own home from being foreclosed could remain imprisoned as a violent offender.

I want to talk more about the abolitionist vision and the construction of the “violent” and “nonviolent” offenders, as well as accountability.

A tiring critique of prison abolition that can make even a self-identified radical sound like a mouthpiece for the right is that if we abolish the PIC, we will all be subject to greater risks of harm. In response to this assertion, it is important to note at least two related points.

First, the most dangerous, violent people in our society are not in prison, but are running our military, government, prisons, and banks. Secondly, what we have now, even for people who have caused harm, is a form of nonaccountability where the survivors of a violation are often harmed again through the desires of a district attorney whose only interest is conviction rates. Anyone who has been deposed or been through a trial can attest to this. Abolition is not simply about letting everyone out of prison, as our critics like to suggest, although that would be an important component. It is forged in the work of daring to ask what true accountability, justice, and safety might look and feel like and what are the ways we might build our world now so violence in all its forms is decreased, rather than something that we only attend to post-infraction.

I am interested in how we move toward abolition. Who are the people challenging the normalization of incarceration? Can you talk to us about local movements around prison abolition? And beyond California, what work is being done?

I have to first give a shout-out to the Transgender, Gender Variant Intersex Justice Project based here in San Francisco. TGIJP is an organization by and for formerly incarcerated trans women of color, held down by Miss Major, Janetta Johnson, and others. I think what is unique about TGIJP is that unlike some antiprison organizations that tokenize currently or formerly incarcerated people, they center them in every aspect of their work. TGIJP is also working hard on re-entry for trans women as abolitionist work. When people are released, especially those with felonies, the issues that found them in the prison industrial complex are dramatically compounded. With almost no resources, people get released into situations that are hyper-policed, and more often than not people get swept back up in the system.

I would also point people toward Californians for a Responsible Budget (CURP), a statewide coalition of people and organizations fighting jail and prison expansion all over the state. As you know, there are also chapters of Critical Resistance in Los Angeles and Oakland that continue to push toward abolition in a culture where compromise is often the most we can expect.

I’m also excited by all the work being done in less formal ways, by collectives of people like Black and Pink-San Diego, a prison letter-writing group, and Gay Shame, which I have organized with for the past 12 years. With Gay Shame, we keep trying to show the ways the prison industrial complex is ever-expanding and how LGBT people are at times complicit in its proliferation. As the banner at our last action read, we are pro-sex, anti-prison, queers for abolition.

In Captive Genders, you write that this prison abolition work and trans/queer liberation must be grown together. How are these movements mutually dependent?

In the past few decades, we have seen the mainstream LGBT movement fight hard to become part of the same systems of domination that have already destroyed so much. Most visibly, this fight toward inclusion resides in the legalization of gay marriage, military service, and the expansion of hate crimes legislation on both the state and federal level. When I was writing the introduction to Captive Genders, I wanted to help (with many others) redirect resources and organizing toward abolitionist work, and also remember the histories of trans and queer people, particularly low-income and/or of color, who have always fought against policing and incarceration. In other words, I wanted to mark both the unique moment of the organizing and analysis that Captive Genders gathers up, and also the ways we are in a genealogy of struggle that will continue beyond us.

I have also been involved in various abolitionist projects over the past decade that did not necessarily foreground trans/queer politics. I think in similar ways I wanted to push trans/queer organizing to center abolition, I wanted to push antiprison organizing to include a trans/queer analysis that understood the specific ways trans/queer people of color have been and continue to be targets of the prison industrial complex.

Both Nat [Smith] and I began the project knowing that we wanted it to be an explicitly abolitionist text. As it was the first book that centered the ways trans/queer people experience the PIC, we wanted to foreground a radical analysis. We also had a commitment to making space for currently and formerly incarcerated people while not wanting to rehearse the somewhat false division between theory and practice.

In the introduction to Captive Genders, you write that “among the most volatile points of contact between state violence and one’s body is the domain of gender.” You’ve also written about how prisons are gendering institutions as well as queer spaces. How does this happen simultaneously? What are some examples of this resistance to gender normativity within prisons?

Binary genders (male/female) are not something that pre-exist any institution (like prisons) but are produced and reproduced in their moment of interaction. In other words, the imagined stability of only two genders is part of the work of prisons. Not only are prisons gender segregated, but quotidian practice inside mandates the group fantasy of gender normativity. This is a bit of a different argument than suggesting that we only pay attention to the ways prisons treat trans/queer and gender nonconforming people, although we also need to do that. Yet even against the relentless force of punitive gender normativity, people still find ways to resist and embody, although perhaps protracted, gender self-determination in these spaces of suspended death.

These usually take the form of what might look like small moments of resistance, but are the daily material that allow some people to survive the unsurvivable. For example, I have a friend who was inside a “women’s prison” and she sewed boxer shorts out of sheets for her butch and trans masculine friends because they could not legally obtain them as they were not regulation

in “women’s prisons.” People also find ways to do their hair, get or make cosmetics and other things that help them express whatever gender they are feeling. Resistance also comes in the ways people inside are in leadership positions of many “outside” organizations, like Sylvia Rivera Law Project and Justice Now and California Coalition for Women Prisoners (CCWP).

We know the prison-industrial complex exists along a continuum, from the ways that people are policed and criminalized, to the point of trial and incarceration, to the moment of reentry. How does the prison industrial complex affect the lives of queer/trans folks living outside the physical site of the prison?

When people first started using the term “prison industrial complex” it was an attempt to think about all the ways the prison as a force exists far beyond its walls. While we want to be vigilant in our attention to the condition of those inside, we always want to be aware of the various ways people are policed, criminalized and constricted that may seem less obvious. Through this expanded understanding of the PIC we must look at psychiatric imprisonment, public housing, shelters, Native boarding schools, drug treatment and diversion programs, juvenile facilities, ICE detention centers (and more) as all central to our work as abolitionists.

In an essay called “Near Life, Queer Death,” you address the privatizing of violence. In thinking about the landscape of Californian incarceration, in ways does the “privatization [of] the enormity of antiequeer violence” collude with the privatization of the enormity of mass incarceration and policing in California?

I would perhaps think about the different ways privatization is working in each of these scenes. Much antiprison organizing for the past 15 to 20 years has centered around critiquing the ways private prisons produce wealth through the business of captivity. I remember organizing in the 1990s at Cabrillo Community College in Santa Cruz where I was a student because our cafeteria contracted with Sodexo Marriott, which then had stakes in CCA, a private prison firm. That work was and continues to be necessary, but only as a way to open up conversations beyond the private-prisons argument. If we end there, it can seem as if we think prisons run by the state are “better” and that prisons are only troublesome if they produce surplus value. Again, this is where an abolitionist analysis becomes necessary to push us through the private prisons argument and toward a more general critique.

In “Near Life, Queer Death,” I was trying to think about how structural violence (like racist and anti-trans violence) is rewritten as individual acts against specific people. The legal system is one of the primary ways the systemic is transformed into the discrete or personal. This happens, in part, through the substitution of the idea that justice has been done with a conviction by the state.

We might look at the recent attack against Sasha, an agender youth who was riding a bus in Alameda when their skirt was lit on fire by another 16-year-old. Sasha sustained second and third degree burns in yet another attack against a gender-nonconforming person. Seeking an easy conviction, the district attorney decided to charge the defendant as an adult and forced them to take a plea deal, which could now place them in prison for seven years. Sasha and their family asked the DA to not charge the person as an adult and also asked for restorative justice for the defendant and not prison time. Against the desires of the survivor, the DA refused and sought the conviction by way of a plea. The histories and futures of anti-trans violence become substituted with the “justice” of another conviction, while all those involved are left as collateral damage.

Originally published in the The New Inquiry by Kamella Janan Rasheed

CHICAGO POLICE VIOLENCE AGAINST BLACK AND LATINO YOUTH CALLED OUT BY UNITED NATIONS COMMITTEE AGAINST TORTURE

After report and testimony from Chicago’s We Charge Genocide, UNCAT “particularly concerned” over CPD profiling, harassment and excessive force.

Chicago 11/31 — On Friday, 11/28, the United Nations Committee Against Torture (UNCAT) issued Concluding Observations after holding their 53rd Session in Geneva, Switzerland earlier this month, during which the U.S. was under review.

From Nov. 12 to 13, We Charge Genocide (WCG) joined groups and individuals from across the country who traveled to the United Nations to expose torture in the U.S., especially at the hands of the police. The eight young delegates from Chicago submitted a report to UNCAT on police violence against youth of color, testified before the committee, and held a historic protest inside UNCAT chambers during the U.S. response to their charges of genocide.

Because of WCG’s report and presentation, UNCAT directly mentions Chicago Police violence against youth of color in their observations:

Continued on Page 8

Cont from page 7...“The Committee is particularly concerned at the reported current police violence in Chicago, especially against African American and Latino young people who are allegedly being consistently profiled, harassed and subjected to excessive force by Chicago Police Department (CPD) officers. It also expresses its deep concern at the frequent and recurrent police shootings or fatal pursuits of unarmed black individuals. In this regard, the Committee notes the alleged difficulties to hold police officers and their employers accountable for abuses.”

In their observations, UNCAT recommends the the U.S.:

Ensure that all instances of police brutality and excessive use of force by law enforcement officers are investigated promptly, effectively and impartially by an independent mechanism with no institutional or hierarchical connection between the investigators and the alleged perpetrators
Prosecute persons suspected of torture or ill treatment and, if found guilty, ensure that they are punished in accordance with the gravity of their acts.
Provide effective remedies and rehabilitation to the victims.
Provide redress for CPD torture survivors by supporting the passage of the Ordinance entitled Reparations for the Chicago Police Torture Survivors.
Regarding Taser use by police, UNCAT also expresses concern “about numerous, consistent reports that police have used electrical discharge weapons against unarmed individuals,” including “Dominique [Damo] Franklin Jr. in Sauk Village, Illinois.” During their protest at the U.N., WCG members held up a poster of Damo, which was shown repeatedly in news reports.

Statement from We Charge Genocide Organizers:

“We went to Geneva as a delegation of We Charge Genocide with the intention of getting Chicago visibly named as a site for systematic, horrific and punitive police violence against Black and Brown youth on a daily basis, and it is safe to say that we achieved our goal. While going to Geneva to present our report on police violence against Black & Brown youth in Chicago was not our end goal as We Charge Genocide, we feel a slight sense of relief in the fact that the violence that Black and Brown youth systematically experience every day in Chicago is now getting the attention, internationally, that it deserves, which will only serve as an uplifting foundation in our continued work in challenging police violence in Chicago.”
UNCAT comments on police torture survivors in Chicago were prompted by members of the Chicago Torture Justice Memorials (CTJM) who testified in Geneva and submitted a shadow report on the Burge torture cases.

The report submitted by WCG to UNCAT is titled, We Charge Genocide: Police Violence Against Chicago’s Youth of Color. Key findings include:

From 2009 to 2013, although Black people comprised only 32.3% of Chicago’s overall population, 75% of police shooting victims were Black. Additionally, in the first six months of 2014, 23 of 27 people shot by the CPD were Black. Between 2009 and 2011, 92% of Taser uses involved a Black or Latino target, including 49 youth under the age of 16 (with some as young as 8 years old). Black youth accounted for 77% of the arrests of youth in 2011 and 79% in 2012. Latino youth accounted for most of the other arrests, i.e., 18% of these arrests in 2011 and 17% in 2012.
A brutality complaint is 94% less likely to be sustained in Chicago than in the nation as a whole: Only 0.48% of brutality complaints against the CPD are sustained (as opposed to 8% nationally).
Between 2002 and 2004, Chicago residents filed 10,149 complaints of excessive force, illegal searches, racial abuse, and false arrests against the CPD. Only 124 of these 10,149 complaints were sustained (1.2%), and a mere 19 cases (0.18%) resulted in any meaningful penalty (a suspension of a week or more)
We Charge Genocide is volunteer-run by Chicago residents concerned that the epidemic of police violence continues uninterrupted in Chicago and who seek to equip individuals across the city with tools to more proactively hold police accountable. The name We Charge Genocide comes from a petition filed to the United Nations in 1951, which documented 153 racial killings and other human rights abuses, mostly by the police.

Originally published on We Charge Genocide

GETTING A FINGER ON THE PULSE WITH EMILY HARRIS

Now that Prop 47 has passed and a new Sheriff will soon be walking the beat in Los Angeles County, we thought we’d engage Emily Harris, the statewide coordinator for Californians United for a Responsible Budget, which has been battling so hard to push California and, in particular, Los Angeles County out of its “build more cages” mentality.

Working out of CURB’s Oakland office, Emily brings experience working with women in prison through roles in Free Battered Women, California Coalition for Women Prisoners, and the Prison Creative Arts Project. She holds a Master’s of Social Work with a focus on policy and community organizing,

and a BA in Psychology and German from the University of Michigan. At CURB, Emily communicates a bird’s eye view of the coalition’s work and well-being, coordinates workgroup activities, represents the coalition before allies, and ensures overall cohesion and strategic movement within CURB. This weekend, she took time from her busy schedule to answer a few of our questions.

Dick Price: Now that Proposition 47 has passed, your organization has joined others in expressing at least some reservations about its implementation and chances for success. Can you summarize those concerns?
Emily Harris: If implemented effectively, Prop 47 will significantly reduce the prison population, which we wholeheartedly support. We are grateful both that thousands of people who are currently in jail will be free, and that those who have relevant sentences in the future will spend significantly less time in cages, and some will never go to jail at all. At the same time, we are concerned about where the predicted \$150-\$250 million in annual savings from this measure will go.

First, the majority of funds (65%) will go to the Board of State and Community Corrections (BSCC) for grants to “public agencies providing mental health treatment, substance abuse treatment to reduce recidivism of people in the justice system.” Sounds good, right? Until you realize that the BSCC is the same board that funnels hundreds of millions of dollars to construct new prisons and jails throughout the state, and that in the last few years, many of those jails have been pitched as “mental health treatment facilities.”

The Board is overwhelmingly composed of different types of cops, which should be our first red flag. (It includes Secretary of the California Department of Corrections Jeffery Beard, along with three Sheriffs, two Chief Probation Officers and one Chief of Police.) It’s not shocking when that group of people thinks that the best way to invest in mental health treatment is to build shiny new jails. Sheriff’s aren’t social service providers, and it is dangerous to pretend they are. But unless there is significant community pressure, the Prop 47 funds being directed through this board will likely facilitate the broadening of law enforcement-controlled “diversions.” This wouldn’t shrink the system, but would actually expand it.

CURB wants substance abuse, mental health, and job training programs to be funded in the community. While we believe everyone in prison or jail should get access to programming, we don’t think that requires building more jails—if anything it requires letting more people go. We need to divert many more people and a lot more money away from prisons and jails. Going to jail should not be a prerequisite for getting access to social programs.

Similarly, a quarter of the savings from Prop 47 is directed to the Department of Education to “reduce truancy” and support “at-risk students” or “victims of crime.” Patrisse Cullors-Brignac, the Director of Dignity and Power Now, reminds us that we need to “make sure that the school allocation money will fund counselors and restorative justice practices, not school police, surveillance cameras, or high-power weapons as we’ve seen in the past, especially in L.A.” Following through on the promise of “education not incarceration” means funding smaller class sizes and social workers, so we must watch this money carefully.

Lastly, the public relations campaign for this proposition may have done more damage than good in the long term. The campaign essentially promised that most people would stay in prison, and used fear-mongering about people who are inside on serious charges. If you weren’t listening closely enough, you may have mistaken them for the opposition. We need to stop pretending that prisons solve the violence in our communities, or we’ll never actually end that harm or end mass incarceration. We have to shift the focus towards aggressive parole and sentencing reforms for everyone, while building non law enforcement controlled services and institutions that support healthy, strong communities.

Dick Price: You and CURB have been in the forefront of the battle against building even more prisons in prison-rich California and against expanding LA County’s huge jail system. What’s next for those efforts and what needs to be done?
Emily Harris: The fight against prison and jail expansion is far from over. With the majority of counties looking to expand their jails we will continue to focus a lot of attention on LA. We know what ends up happening with LA’s jails will have a bellweather effect on the rest of the state and the nation. LA groups have been working tirelessly to make sure that people are able to access treatment, housing, and programs in the community, not in jail. DA Jackie Lacey and Supervisor Mark Ridley-Thomas have responded and are committed to reducing the number of people with mental health issues by developing diversion efforts. We are working to make sure that this plan is comprehensive and expanded so that it impacts a larger portion of people, especially people in women’s jails, people of color, and lower income folks. We know that one of the most effective ways to stop expansion is to turn off the faucet of expansion dollars that is coming from Sacramento. We are anticipating that Governor Brown might get convinced by LA County to help bankroll the \$2.3 billion dollar jail expansion. Our members and allies who have been doing a great job delegitimizing LA County’s call for new mega

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Cont from Page 8... jails are gearing up to bring that message to the Legislature, particularly to all of our newly elected Senators and Assembly Members.

Dick Price: You’ve worked tirelessly on prison-reform issues, both at CURB and at organizations before that, for a long time. Oftentimes people who get into this kind of work have some kind of deep personal connection to the issues. Can you say something about this in your case?

Emily Harris: Growing up, I had lots of questions about violence, accountability, safety, and what it meant to be a good neighbor. My childhood best friend grew up in a very abusive home and went to juvie after he started acting out. I remember thinking, “Oh good, when he gets back he’ll be better.” In reality, when he came back he was harder, angrier, more distant. Trying to understand this childhood experience led me to get involved with the Prison Creative Arts Project (PCAP) at the University of Michigan. During my years at PCAP, I had a series of experiences in my personal life while simultaneously facilitating creative workshops in prisons that made me look at violence, systematic oppression, and the role of prisons in a new way.

During this time my younger brother was frequently being targeted by the cops—being pulled over, arrested, and drug-tested all the time. Each week, as I’d enter the grounds at Maxey Boys Training School (a maximum security prison for teenage boys) to facilitate a workshop, I was reminded that if my brother wasn’t white or affluent that his chances of going to prison like the young men I was performing plays with would have been much higher. The reality of who goes to prison and why became more and more clear to me

My last three and a half years in Michigan, I participated in a weekly poetry workshop called Sisters With Unique Minds at Huron Valley Women’s Prison. It was there that I met some of my life-long mentors. Together we wrote poetry, gossiped, laughed, cried and wrote about our lives. In 2007, my last year in the workshop, we had two powerful poetry readings “Behind these Solitary Walls: A Symphony of Life” and “Echoes of A Million Women.” The writing we did for those performances was exposed and bold. We dug deep to tell

stories about addiction, violent men in our lives, disappointment, fear and how members of the group creatively resisted conditions in prison.

The more time I spent going inside, the angrier my writing about prisons became. The women in the group began to push me to walk the talk – to move away from writing poems and figure out how to get people back to their children, families and communities. I don’t think the group expected that challenge would take me to California, but later that year I took a job at Free Battered Women/California Coalition for Women Prisoners (a CURB member org) in San Francisco to learn how to get domestic violence survivors out of prison.

Dick Price: Prop 47 passed. A limited Ban the Box passed in LA. More DAs are turning to split sentencing. LA County’s new sheriff has publicly supported more diversion for mental health and substance abuse treatment outside the jail system. Does this trend go deep enough, fast enough for you? Is some more fundamental change in order?

Emily Harris: All of these important gains that are pushing us away from a lock-em up mentality are the result of years and years of organizing. However they are only the tip of the iceberg. The numbers speak for themselves; last week there were 135,890 people locked up in our state prisons. The majority are very, very far from their families and communities, especially the 8,661 who are imprisoned in out-of-state in prisons in Arizona, Mississippi, and Oklahoma. Over 3,800 people are isolated in long-term solitary confinement; the average time prisoners spend in these security housing units is 7.5 years. This doesn’t even include the nearly 7,000 people who currently spend months in “short-term” administrative segregation.

For years now our leadership has been pushing off responsibility for addressing the torture and deadly conditions in our prisons. As people across California were celebrating the passage of Prop 47, the supposedly progressive Attorney General Kamala D. Harris’ office was arguing against reducing sentences for

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ON THE INSIDE ARTWORK FORM

Black & Pink is facilitating the revival of the art program in a new way, called On the Inside! If you are an artist, here’s how it will work. Create any artwork that you would like (drawings, cards, paintings). We are seeking art drawn in ball point pen or pencil on letter-sized copy paper. The exhibit is taking shape along the following themes: portraits, self-portraits, spirituality, erotic, love, advocacy, gender, pop culture, celebrities, sports cars, crime & punishment, and prison life. Some of the artwork will be accepted for an upcoming exhibit; the artist will be promptly compensated \$50 for all accepted artwork (except \$10 for cards) and postage expenses incurred. Any artwork that isn’t accepted for the exhibit for any reason will be promptly returned to the artist, or other address. If your artwork is accepted for the Exhibition, you assign all right, title and interest in the work to us (in other words you transfer ownership of the art and its copyrights to the Exhibit coordinators) as consideration for participation in the show. The artwork will never be resold, and will likely be donated to an LGBTQ Archive in years to come.

Please do not write your name and number anywhere on the front of the artwork to protect your privacy. We are all excited to see what you create! Please fill out a questions 1 through 6 once, and questions 7 through 10 on separate slip like this for each piece of artwork you submit. Please mail the artwork with the information below on slips to:

On the Inside, PO Box 173, 2658 Griffith Park Blvd. , Los Angeles, CA 90039

- 1)Your preferred name for the exhibit. We will only include the first initial of your last name in the exhibit.
- 2)Your gender pronouns (eg. she / he / xe / they).
- 3)How do you identify? (Optional: gender, sexuality, race, age).
- 4)Your legal name, number, and mailing address.
- 5)If my artwork is not accepted for the exhibit:
 - __ Send it to my address (please list)
 - __ Send it to another address (please list)
 - __ Black & Pink can keep and display it
- 6)Preferred method of compensation:
 - __ Donation into commissary account (Please include deposit slips or instructions):
 - __ Magazines/books (Details)
 - __ Other:
- 7)Title of artwork (for display at exhibit).
- 8)Description of artwork (for display at exhibit).
- 9)Anything else you’d like the exhibit curator to know about the artwork or about yourself which can be shared / feel free to write on another page, and please note that the exhibit curator is not able to be a penpal):

BLACK & PINK INCARCERATED FAMILY FEEDBACK! MAIL TO: Black & Pink - FEEDBACK Dorchester, MA 02125

-----rip slip here-----

As we expand the size of the newspaper to 12 pages, what is the main thing you’d like to see more of? (examples are: letters to family, news articles, poetry, writing about prison abolition, etc.)

Cont from Page 9... Conthose who participate in rehab or education programs because the California Department of Corrections would “lose an important labor pool.” It is shameful to not release people back to their communities because we need their labor in prison kitchens, janitorial, and groundskeeping crews to keep our prisons running. This example just goes to show how much more work is ahead.

We must claim our victories, while simultaneously being careful not to be satisfied with nibbling around the edges. Our jailers are having a harder time keeping the torture that is prison away from the awareness of the general public. Even though people are locked away far away from the public eye, the images of people living triple bunked in gyms and classrooms, stories of thousands of prisoners going on hunger strike, the photos of men beaten by LA deputies, the tales of women being illegally sterilized in Chowchilla, prisoners dying from Valley Fever—all of these stories are seeping out and adding to the growing consciousness of the general public. Much more fundamental change is in order, and requires that we continue to build momentum and pressure on discussion-makers while expanding the capacity of communities targeted most directly by imprisonment to lead the charge.

Dick Price: It would seem that November 4th’s election put more people in office in states and in Congress who are likely to espouse “Tough on Crime” rhetoric, rather than anything approaching “Smart on Crime.” Do you think the country’s current pissy mood will affect criminal justice reform efforts in the long term?

Emily Harris: The sweeping wins by conservative candidates across the country are alarming and I imagine will be a setback for the real change we need. The growing power of the Republican Party should serve as a reminder for us to be wary of groups like “Right on Crime.”

As the movement against mass incarceration gains momentum, we need to be very cautious of the types of co-optation that we are seeing from conservatives and moderates who want to spend less money on prisons but don’t actually care about people’s freedom and wellbeing—especially when we are talking about poor communities of color.

We need dramatic investments in affordable housing, living-wage jobs, and services for healing and recovery, particularly in low-income communities and communities of color. Conservatives primary motivation in reducing prison spending is to shrink government. We are trying to get the government to distribute our resources more equitably and to stop using prison as the primary response to poverty and social harm.

By Dick Price, Editor. Originally Published on Curb Prison Spending

CAN A JAIL BE FABULOUS? QUEER RESPONSES TO LA WEEKLY’S ARTICLE ON K6G GAY AND TRANS INMATE CLASSIFICATION IN LA COUNTY JAILS

This week the LA Weekly ran an article about the gay and transgender inmate classification system at the LA County Men’s Central Jail. The article by Ani Ucar, entitled “In the Gay Wing of L.A. Men’s Central Jail, It’s Not Shanks and Muggings But Hand-Sewn Gowns and Tears,” describes the K6G classification system and how it affects incarcerated queer people.

As the title suggests, the article leans toward portraying this community as utopia—a safe haven for more vulnerable gay and transgender people who are at a high risk of violence and exploitation in the jail. When I was consulted by the writer for the article, I could sense that she was going into it hoping to find this utopia. While I urged against a sunny portrayal of a niche community in one of the largest systems of violence, racism, homophobia, and oppression in the world, she moved forward with this narrative. Why she did this I can’t know.

The quote of mine that she used tried to explain the flaws in the system, but it rings of an ambivalence that I didn’t intend. My grappling with the complexities of the K6G system came across less impassioned and more confused than I intended. I am quoted as saying that the Sheriff’s Department screening system is “an attempt to understand the gay community, but it’s oversimplified. ... The screening process is not correct — but I also don’t know a better alternative off the top of my head.”

Upon reflection, I do know a better alternative: active decarceration, investing in alternatives to incarceration, and diverting queer people from entering the prison-industrial system to begin with. Queer people are targets for violence by the state and other institutions that seek to imprison and surveil. Are we able to trust a system of destruction to help queer folk?

There have been many negative responses to this piece. Patrisse Cullors, Executive Director of Dignity and Power Now, explains why the K6G program won’t help queers:

I strongly believe that queer and trans people of color should be provided resources vs incarceration. This article portrays jail as a safe haven for queer and trans communities. That is so far from the truth. We are living in a country that utilizes punishment, criminalization, and incarceration to deal and cope with social ills. Public safety does not look like another cage, but rather a viable social safety net: access to housing, jobs, and healthy food.

Dean Spade—law professor, writer, and founder of the Sylvia Rivera Law Project—wrote about Russell Robinson’s research on the K6G classification in 2012 for the California Law Review:

Robinson’s article exposes how the racialized, gendered, and classed construction of homosexuality, and the figure of the vulnerable gay prisoner, are produced and enforced in the Los Angeles County Jail to the detriment of queer and trans people of color and poor people who bear the brunt of racist, homophobic, and transphobic policing and criminalization.

Spade references the screening process to find out if an inmate is “truly” gay as “expos[ing] the absurdity of a project to properly identify vulnerable prisoners by quizzing them about and measuring them against white gay cultural norms.”

I wrote about this issue in my 2012 essay “A Test for County Jails,” published on The Advocate’s website. In this piece I describe my experience witnessing the flawed and offensive screening system operated by heterosexual Sheriff’s deputies, rife with homophobic cliché, racist assumptions, and classist generalizing.

Photos, magazine cutouts, and other imagery plastered the office walls, making the space look like a cross between the bedroom of an N’SYNC fanatic and a detective’s office. A photo of the deputies with Paris Hilton was proudly displayed, and rainbows and other familiar gay imagery surrounded the stocky authority figure in his nook. In response to my inquiry into the meaning of a hand symbol taped to the wall, the deputy told me that it is a decoy to test the validity of an inmate’s homosexuality. If an inmate forms this symbol when prompted to show the “gay hand sign” then the deputies can conclude that the inmate is straight — there is, the deputy knowingly confided, no “gay hand sign.”

The inmate being interviewed appeared surprisingly calm considering the situation. It’s not every day that you are grilled on your sexual orientation at the wee hours of the morning, though I supposed stranger things happened in jail. He appeared Caucasian, skinny, meek, and jaded. I wondered what he was in jail for: drug possession? Sex work? Robbery to make ends meet?

“Do you know what a size queen is?” asked the deputy stonily.

A quick smile flitted across the inmate’s face. “Me! Ha, um...just kidding.”

The deputy kept a “straight” face, marked a note down on his pad, and cleared his throat. “Can you name the most popular bars in West Hollywood?”

“Uh...yeah...Rage, Mickey’s...the Abbey...”

“Have you ever been there?”

“Yeah, a couple times, I think.”

The absurdity of this process is apparent. Many believe that this is not only absurd, but a clear representation of a brutal system that has systemically inflicted violence on queer bodies. Emma Catherine, Prisoner Justice Project Staff at Sylvia Rivera Law Project, elaborates on this:

It was encouraging to see the LA Weekly sharing the beautiful examples of resilience and survival by our LGBTQI community incarcerated in the LA County Sheriff’s Men’s Central Jail. But because the reporter only spoke with 4 pre-approved people held in the jail, we do wonder if the whole story is presented here and if it really is “Not Shanks and Muggings But Hand-Sewn Gowns and Tears.”

SRLP has and will continue to support efforts made by the currently and formerly incarcerated trans community to create trans or LGBTQ wings as long as admittance to them is voluntary, as instructed by guidelines set up by the Prison Rape Elimination Act. However in our experience with our Prisoner Justice Project, where we communicate with hundreds of LGBTQI and especially trans and gender nonconforming people incarcerated in prisons, even a segregated facility may not be enough to give those housed in it safety, especially when violence all too often comes from correctional officers. In the name of “protection,” trans women of color held in prisons are often put into segregation against their own will, sometimes being held in solitary confinement which many human rights groups recognize as a form of torture.

The Prison Rape Elimination Act guidelines meant to protect transgender people held in prisons are often not enforced, ignored, and sidestepped. Ultimately prisons are a place of violence no matter where one is held and that violence can only be fully ended by ending the mass incarceration of transgender and gender nonconforming people.

While Galen Baughman—CSJ board member, Director of Communications for CURE, and a formerly incarcerated gay person himself—sees the LA Weekly article as revealing a glimmer of light in the vicious system, he still emphasizes the system’s need to be abolished:

Human beings shouldn’t be caged. What you find in K6G is the desperate attempts of the human spirit to live, to grow, to express itself. It is amazing to see manifestations of human warmth and kindness in some of the ugliest environments on earth. People are capable of coming together and building community even in the darkest of situations. But the lesson I would take from this article is the futility of incarceration: We are the only industrialized

Continued on Page 12....

Cont from Page11... nation in the world whose primary – if not only – response to harm is to perpetuate more harm.

The stories of these gay, bisexual, and transgender prisoners are tragic. As a society we must begin to break away from our addiction to incarceration, and begin to address the underlying public health problems that perpetuate the cycles of crime that have lead so many people to spend their lives rotating in and out of jails and prisons. We’re 40 years into our national experiment in mass-incarceration and it has clearly been a complete and utter failure.

Rev. Jason Lydon is the National Director for Black & Pink, an organization that helps and advocates for incarcerated queer people. He says that while there might be a need for a system like LA County’s, he warns against the destructive nature of “pinkwashing” the prison-industrial-complex: Segregated units for LGBTQ prisoners have the tendency to be used by prisons and jails to claim they are in some way ‘safe’ for LGBTQ prisoners. There is no such thing as a safe prison as all prisons are based on warehousing Black and Brown people, poor people, LGBTQ people, and people with disabilities. However, if individual or groups of LGBTQ prisoners wish to be housed in a unit together and believe that will make them feel in less danger, I think it is important to follow the direction and articulated needs of LGBTQ prisoners.

That said, at the end of the day, I will not, and Black and Pink as an organization will not, support any efforts that lead to expansion or building of any jail/prison units. If prisons or jails want to meet the needs of LGBTQ prisoners by creating specific queer units, then they must do so with the resources they already have, no additional resources should be spent on this as that would simply be prison expansion in the name of gay rights.

Queer writer Zach Howe worries about the K6G system reinforcing queer stereotypes and glamorizing prisons: I’ve seen people use this article to justify the tokenizing of queers. Essentially, “Look how fabulous gay people are! they can even make prison look fun!” This is really dangerous because, in addition to reinforcing a silly stereotype, it equates prison with hairstyles and purses—one more aesthetic challenge that can be overcome with every gay man’s inner fabulousness. This aestheticization is especially dangerous because it places the responsibility for ameliorating the trauma and abuse of prisons on individuals, not on the prison system—if you’re still suffering in jail, why don’t you be more like these queers!?

To be fair to Ucar, she did make an effort to point out the harsh realities of incarceration, albeit incomplete and inaccurate: While K6G’s environment is in stark contrast to that of the general population, at the end of the day it’s still jail.

Sure, the inmates of K6G may appear to be relatively comfortable, but talk with a few of them and they will reassure you that their lives are still hell.

“A jail is a jail — it’s a violent, and desperate, and cold and miserable place,” says Roy, who minced no words in claiming that Sheriff’s deputies openly mistreated inmates while he served his time in the gay wing. “Where there is that terrible cruelty inflicted on everyone, people find ways of dealing with it.”

Despite the very low levels of racial tension, there’s still violence among K6G inmates. Much of it stems from the relationships established between inmates behind bars. “There was a lot of jealousy,” Roy explains.”

But many activists would say that this perfunctory aspect of the article doesn’t

do justice to the lived experiences of queers behind bars and those doing anti-incarceration work.

I think I fall somewhere in the middle. Abolition, decarceration, divestment, prevention, rehabilitation, community work, and social services are all excellent and worthwhile solutions to mass incarceration. I still have a nagging thought, though. What about the hundreds of queer inmates I saw, met, and talked to? How do we help them right now? The social worker in me says that we should meet them where they are, and do what we can to alleviate the everyday traumas, violence, and oppression of jail life. Does this include the K6G classification?

I think that it might, but with major overhauls necessary, as well as the acknowledgment that such a program would fall very short of perfect and would not come close to eliminating the deeply ingrained systems of violence inherent to incarceration. The one-size-fits-all program currently in place can’t possibly address the needs of the individual.

Is it worth a try? I’m not sure, but I’m fortunate that there are so many amazing activists grappling with these questions, generating dialogue, and bettering the lives of incarcerated and returning queer folk. For me, I’ve found that the answers to tough questions often lie in the gray, in the compromise, and somewhere in between two sides of a battle.

Where do we go from here? I will leave you with my parting words from “A Test for County Jails”: I hope that the K6G unit evolves to better acknowledge queerness and sexual and gender variation. Community involvement, extensive training, consultation with queer organizations, and competent hiring regulations would help address the needs of queer inmates.

I hope that queer inmates in the L.A. County Jail gain better access to competent sexual health care. Educating the Sheriff’s Department staff about the sexual health needs of the queer community and allowing more open-minded approaches to condoms while acknowledging the realities of sexual activity among K6Gs could further sexual health.

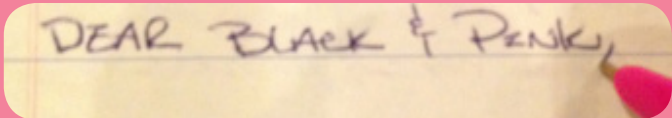
I hope that deputies, lieutenants, captains, commanders, and [the Sheriff] himself come to understand the needs of queer inmates more fully. Forming alliances with queer organizations and promoting dialogue between the predominantly heterosexual Sheriff’s Department and the queer community would be mutually beneficial to the safety and quality of life for both deputies and inmates.

I hope that queer inmates are not forced to prove their “gayness” through sexually invasive, inappropriate, and irrelevant questions. Further reliance on the K6G questionnaire review board and accountability of the deputies on appropriate implementation of the interview questions would help, as would routine observation of interviews by representatives of queer organizations.

I hope that mainstream gay rights organizations such as the Human Rights Campaign begin to acknowledge gay and queer inmates as members of the broader queer community who need and deserve protection. The focus on gay marriage, “don’t ask, don’t tell,” and other gay issues that promote the image of the assimilated, white, happy, healthy gay enables a broad ignorance of the issues that many less fortunate queers have to face such as poverty, homelessness, mental illness, unemployment, police brutality, and incarceration. *By Andrew Extein Originally Published on The Center for Sexual Justice*

ADDRESSES: PLEASE NOTE OUR NEW ADDRESSES FOR MAIL!

Please Note: You can send multiple requests/topics in one envelope! Due to concerns about consent and confidentiality, you cannot sign up other people for the newspaper. However, we can accept requests from multiple people in the same envelope. There’s no need to send separate requests in more than one envelope. If you are being released and would still like to receive a copy of the newspaper, please let us know the address we can send the newspaper to!

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|  | Black & Pink - _____ 614 Columbia Rd Dorchester, MA 02125 |
| If you would like to request: | Please write one or more of these topics in the top line of the address: |
| Newspaper Subscriptions, Pen-Pal Program, Address Change, Request Erotica, Religious Support & Volunteering (Send thank you cards to donors, etc.) | Black & Pink - General |
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| Black & Pink Organization Feedback-- Especially the Slip on Page 9 | Black & Pink - Feedback |
| Advocacy Requests- Include details about situation and thoughts about how calls or letters might help | Black & Pink - Advocacy |
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| Stop Your Newspaper Subscription | Black & Pink – STOP Subscription |

Pen Pal Program: LGBTQ prisoners can list their information and short non-sexual ad on the internet where free world people can see it and decide to write. There will be a Pen-Pal Request Form in the Newspaper every 4 months.